



General Assembly

**Substitute Bill No. 5891**

February Session, 2008

\* \_\_\_\_\_ HB05891GAE \_\_\_\_\_ 031908 \_\_\_\_\_ \*

**AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS  
OF STATE LAND.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (*Effective from passage*) (a) Notwithstanding any provision  
2       of the general statutes, the Commissioner of Transportation shall  
3       convey to the Historical Society of the town of Greenwich a parcel of  
4       land located in the town of Greenwich, at a cost equal to the  
5       administrative costs of making such conveyance. Said parcel of land  
6       has an area of approximately .44 acre and is identified as Parcel No. 6  
7       on one Department of Transportation Map and Lot 16 Strickland Road  
8       W20A by the town of Greenwich. The conveyance shall be subject to  
9       the approval of the State Properties Review Board.

10       (b) The Historical Society of the town of Greenwich shall use said  
11       parcel of land for parking purposes. If the Historical Society of the  
12       town of Greenwich:

- 13       (1) Does not use said parcel for said purposes;  
14       (2) Does not retain ownership of all of said parcel; or  
15       (3) Leases all or any portion of said parcel,

16       the parcel shall revert to the state of Connecticut.

17       (c) The State Properties Review Board shall complete its review of

18 the conveyance of said parcel of land not later than thirty days after it  
19 receives a proposed agreement from the Department of  
20 Transportation. The land shall remain under the care and control of  
21 said department until a conveyance is made in accordance with the  
22 provisions of this section. The State Treasurer shall execute and deliver  
23 any deed or instrument necessary for a conveyance under this section,  
24 which deed or instrument shall include provisions to carry out the  
25 purposes of subsection (b) of this section. The Commissioner of  
26 Transportation shall have the sole responsibility for all other incidents  
27 of such conveyance.

28 Sec. 2. Section 31 of special act 07-11 is amended to read as follows  
29 (*Effective from passage*):

30 (a) The Commissioner of Transportation, with the advice and  
31 consent of the Secretary of the Office of Policy and Management and  
32 the State Properties Review Board, may sell, lease and convey, in the  
33 name of the state, or otherwise dispose of, or enter into agreements  
34 concerning, any land and buildings owned by the state and obtained  
35 for or in connection with the Route 6 Expressway, which real property  
36 is not necessary for such purposes. The commissioner shall notify the  
37 chief elected official of the municipality in which said property is  
38 located and the state representative and the state senator representing  
39 the municipality in which said property is located not later than one  
40 year after the date a determination is made that the property is not  
41 necessary for highway purposes and that the department intends to  
42 dispose of the property. [No such determination shall be made without  
43 the commissioner first holding a public hearing concerning such  
44 proposed disposition and the approval of the Federal Highway  
45 Administration.]

46 (b) The Department of Transportation shall obtain a full appraisal  
47 on excess property prior to its sale pursuant to this section. Except as  
48 provided in subsection (c) of this section, transfers to other state  
49 agencies and municipalities for purposes specified by the department  
50 shall be exempt from the appraisal requirement. The department shall

51 obtain a second appraisal if such property is valued over one hundred  
52 thousand dollars and is not to be sold through public bid or auction. If  
53 a second appraisal is obtained, the sale price shall be the average of the  
54 two appraisals. Any appraisals or value reports shall be obtained prior  
55 to the determination of a sale price of the excess property.

56 (c) Notwithstanding the provisions of sections 3-14b and 4b-21 of  
57 the general statutes, no property, whether or not a structure is situated  
58 upon it at the time it is obtained by the department for highway  
59 purposes, may be sold or transferred pursuant to this section not later  
60 than twenty-five years after the date of its acquisition without the  
61 department first offering the owner or owners of the property at the  
62 time of its acquisition a right of first refusal to purchase the property at  
63 the amount of its appraised value as determined in accordance with  
64 the provisions of subsection (b) of this section, except for property  
65 offered for sale to municipalities prior to the effective date of this  
66 section. Notice of such offer shall be sent to each such owner by  
67 registered or certified mail, return receipt requested, not later than one  
68 year after the date a determination is made that such property is not  
69 necessary for highway purposes. Any such offer shall be terminated by  
70 the department if it has not received written notice of the owner's  
71 acceptance of the offer not later than ninety days after the date it was  
72 mailed. Whenever the offer is not so accepted, the department shall  
73 offer parcels which meet local zoning requirements for residential or  
74 commercial use to other state agencies and shall offer parcels which do  
75 not meet local zoning requirements for residential or commercial use  
76 to all abutting landowners in accordance with department regulations.  
77 If the sale or transfer of the property pursuant to this section results in  
78 the existing property of an abutting landowner becoming a  
79 nonconforming use as to local zoning requirements, the commissioner  
80 may sell or transfer the property to that abutter without public bid or  
81 auction. The commissioner shall adopt regulations, in accordance with  
82 the provisions of chapter 54 of the general statutes, establishing  
83 procedures for the disposition of excess property pursuant to the  
84 provisions of this subsection in the event such property is owned by

85 more than one person.

86 (d) Where the department has in good faith and with reasonable  
87 diligence attempted to ascertain the identity of persons entitled to  
88 notice under subsection (c) of this section and mailed notice to the last-  
89 known address of record of those ascertained, the failure to in fact  
90 notify those persons entitled thereto shall not invalidate any  
91 subsequent disposition of property pursuant to this section.

92 Sec. 3. Section 6 of special act 90-37, as amended by special act 91-4,  
93 is amended to read as follows (*Effective from passage*):

94 (a) Notwithstanding any provision of the general statutes, [to the  
95 contrary,] the commissioner of correction shall convey to the town of  
96 East Lyme, subject to the approval of the state properties review board  
97 and for a cost equal to the administrative costs of making such  
98 conveyance, a parcel of land located in the town of East Lyme, having  
99 an area of approximately ten acres and shown on a map on file in the  
100 office of the town clerk in East Lyme, entitled "Town of East Lyme  
101 Proposed Site for AHEPA Elderly Housing Complex, Connecticut  
102 Route 156 and Roxbury Rd., East Lyme, Connecticut, Scale 1" = 40'  
103 January 1990."

104 (b) The town of East Lyme shall use said parcel of land for an  
105 elderly housing project, provided said town may convey the parcel to  
106 AHEPA 250, INC., for such purpose. If the mortgage loan to AHEPA  
107 250, INC., from the Secretary of Housing and Urban Development for  
108 construction of an elderly housing project on said parcel is not closed  
109 on or before April 1, 1992, or if said parcel is not used for an elderly  
110 housing project at any time after the maturity of the loan, the title to  
111 said parcel shall revert to the state of Connecticut. Notwithstanding  
112 the provisions of this subsection, said parcel shall not revert to the  
113 state of Connecticut if said Secretary acquires title by foreclosure or by  
114 a deed in lieu of foreclosure. For any mortgage secured by said parcel  
115 and insured by said secretary, the foreclosure by a third party on such  
116 note or the granting of a deed in lieu of such foreclosure shall not

117 result in the reversion of said parcel to the state of Connecticut.

118 (c) The [state properties review board] State Properties Review  
119 Board shall complete its review of the conveyance of said parcel of  
120 land not later than thirty days after it receives a proposed agreement  
121 from the department of correction. The land shall remain under the  
122 care and control of said department until a conveyance is made in  
123 accordance with the provisions of this section. The state treasurer shall  
124 execute and deliver any deed or instrument necessary for a  
125 conveyance under this section and the commissioner of correction shall  
126 have the sole responsibility for all other incidents of such conveyance.

127 Sec. 4. (*Effective from passage*) Notwithstanding a certain restriction  
128 contained in a quit claim deed from the state of Connecticut,  
129 Department of Transportation, to the city of Norwalk, dated May 22,  
130 1961, and recorded in the city of Norwalk Land Records in volume  
131 \_\_\_\_, page \_\_\_\_, that the parcel of land designated as parcel 22 on  
132 Connecticut Department of Transportation Map 478 be used for  
133 highway purposes only, said parcel may be used for other than  
134 highway purposes and said restriction is released and relinquished  
135 and shall have no further force and effect.

136 Sec. 5. (*Effective from passage*) (a) Notwithstanding any provision of  
137 the general statutes, the Commissioner of Transportation shall convey  
138 to the city of Norwalk a parcel of land located in the city of Norwalk,  
139 at a cost equal to the administrative costs of making such conveyance.  
140 Said parcel of land has an area of approximately 0.386 acre and is  
141 identified as "AREAS TO BE QUIT CLAIMED BY THE STATE OF  
142 CONNECTICUT TO THE CITY OF NORWALK" on a map entitled  
143 "Compilation Survey For Crescent Street Road Abandonment Purposes  
144 Prepared For 95/7 Ventures LLC and the City of Norwalk and the  
145 State of Connecticut, Reed Putnam Project, Norwalk, Connecticut,  
146 Scale 1"=40', January 28, 2008, William W. Seymour & Associates, P.C."  
147 The conveyance shall be subject to the approval of the State Properties  
148 Review Board.

149 (b) The State Properties Review Board shall complete its review of  
150 the conveyance of said parcel of land not later than thirty days after it  
151 receives a proposed agreement from the Department of  
152 Transportation. The land shall remain under the care and control of  
153 said department until a conveyance is made in accordance with the  
154 provisions of this section. The State Treasurer shall execute and deliver  
155 any deed or instrument necessary for a conveyance under this section.  
156 The Commissioner of Transportation shall have the sole responsibility  
157 for all other incidents of such conveyance.

158 Sec. 6. (*Effective from passage*) Notwithstanding any provision of the  
159 general statutes, the city of Norwalk shall grant to the State of  
160 Connecticut, at a cost equal to the administrative costs of making such  
161 easement, a full and perpetual drainage right-of-way according to the  
162 terms that govern an existing thirty-foot right-of-way reserved by the  
163 State of Connecticut in Volume 1046, Page 60 and depicted on map  
164 number 8212 of the Norwalk Land Records. Such easement is  
165 identified as "AREA OF EASEMENT TO BE GRANTED BY THE CITY  
166 OF NORWALK TO THE STATE OF CONNECTICUT" on a map  
167 entitled "Compilation Survey For Crescent Street Road Abandonment  
168 Purposes Prepared For 95/7 Ventures LLC and the City of Norwalk  
169 and the State of Connecticut, Reed Putnam Project, Norwalk,  
170 Connecticut, Scale 1"=40', January 28, 2008, William W. Seymour &  
171 Associates, P.C." The grant of such easement shall be subject to  
172 approval by the State Properties Review Board.

173 Sec. 7. (*Effective from passage*) (a) Notwithstanding any provision of  
174 the general statutes, the Commissioner of Transportation shall enter  
175 into an agreement with the city of Norwalk for the conveyance of a  
176 parcel of land from the city of Norwalk to the state at no cost to the  
177 state. The parcel of land to be conveyed by the city of Norwalk is  
178 identified as "AREA TO BE CONVEYED BY THE CITY OF  
179 NORWALK TO THE STATE OF CONNECTICUT" on a map entitled  
180 "Compilation Survey For Crescent Street Road Abandonment Purposes  
181 Prepared For 95/7 Ventures LLC and the City of Norwalk and the  
182 State of Connecticut, Reed Putnam Project, Norwalk, Connecticut,

183 Scale 1"=40', January 28, 2008, William W. Seymour & Associates, P.C."  
184 Said parcel has an area of approximately .176 acre. The state shall pay  
185 no administrative costs incurred by the city of Norwalk in the  
186 conveyance of said parcel of land. The Commissioner of  
187 Transportation shall pay the cost of any survey of said parcel of land  
188 that is prepared for the purposes of said conveyance. Said conveyance  
189 shall be subject to the approval of the State Properties Review Board.

190 (b) The State Properties Review Board shall complete its review of  
191 the conveyance of said parcel of land not later than thirty days after it  
192 receives a proposed agreement from the Department of  
193 Transportation. The State Treasurer shall execute and deliver any deed  
194 or instrument necessary for a conveyance under this section. The  
195 Commissioner of Transportation shall have the sole responsibility for  
196 all other incidents of such conveyance.

197 Sec. 8. (*Effective from passage*) (a) Notwithstanding any provision of  
198 the general statutes, the Commissioner of Environmental Protection  
199 shall convey to the Mohegan Tribe of Indians of Connecticut a parcel  
200 of land located in the town of Montville, at a cost equal to the fair  
201 market value of said parcel plus the administrative costs of making  
202 such conveyance, provided: (1) The Department of Environmental  
203 Protection shall determine the fair market value of said parcel, and (2)  
204 the Department of Environmental Protection shall retain an easement  
205 for public access for fishing on said parcel, the area of which shall be  
206 determined by the Department of Environmental Protection. Said  
207 parcel of land has an area of approximately 1.65 acres and is identified  
208 in an agreement for transfer of custody and control from the  
209 Commission of Transportation of the state of Connecticut to the  
210 Department of Environmental Protection of the state of Connecticut  
211 dated May 27, 1977, and recorded on August 16, 1977, in the land  
212 records of the town of Montville at Volume 132, Page 283. Said parcel  
213 is further identified on a map on file at the Connecticut Department of  
214 Transportation that is entitled "Town of Montville, Map Showing Land  
215 to be Transferred to Department of Environmental Protection by the  
216 Department of Transportation, Route 32, Scale 1"=40', April 1977, Karl

217 F. Crawford, Transportation Chief Engineer-Bureau of Highways,  
218 Town No. 85, Project No. 85-85, Serial No. 4A, Sheet 1 of 1". The  
219 conveyance shall be subject to the approval of the State Properties  
220 Review Board.

221 (b) The State Properties Review Board shall complete its review of  
222 the conveyance of said parcel of land not later than thirty days after it  
223 receives a proposed agreement from the Department of Environmental  
224 Protection. The land shall remain under the care and control of said  
225 department until a conveyance is made in accordance with the  
226 provisions of this section. The State Treasurer shall execute and deliver  
227 any deed or instrument necessary for a conveyance under this section.  
228 The Commissioner of Environmental Protection shall have the sole  
229 responsibility for all other incidents of such conveyance.

230 Sec. 9. (*Effective from passage*) (a) Notwithstanding any provision of  
231 the general statutes, the Commissioner of Transportation shall convey  
232 to the Regional Refuse Disposal District One parcels of land located in  
233 the towns of Barkhamsted and New Hartford, at a cost equal to the  
234 administrative costs of making such conveyance. Said parcels of land  
235 have an area of approximately 3.2 acres and are identified as Lot \_\_\_\_  
236 in Block 18 of town of Barkhamsted Tax Assessor's Map 49 and Lot 41  
237 in Block 41 of town of New Hartford Tax Assessor's Map 32. The  
238 conveyance shall be subject to the approval of the State Properties  
239 Review Board.

240 (b) The Regional Refuse Disposal District One shall use said parcels  
241 of land for economic development purposes. If the Regional Refuse  
242 Disposal District One:

- 243 (1) Does not use said parcels for said purposes;  
244 (2) Does not retain ownership of all of said parcels; or  
245 (3) Leases all or any portion of said parcels,

246 the parcels shall revert to the state of Connecticut.

247 (c) The State Properties Review Board shall complete its review of



248 the conveyance of said parcels of land not later than thirty days after it  
 249 receives a proposed agreement from the Department of  
 250 Transportation. The land shall remain under the care and control of  
 251 said department until a conveyance is made in accordance with the  
 252 provisions of this section. The State Treasurer shall execute and deliver  
 253 any deed or instrument necessary for a conveyance under this section,  
 254 which deed or instrument shall include provisions to carry out the  
 255 purposes of subsection (b) of this section. The Commissioner of  
 256 Transportation shall have the sole responsibility for all other incidents  
 257 of such conveyance.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	SA 07-11, Sec. 31
Sec. 3	<i>from passage</i>	SA 90-37, Sec. 6
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	New section

**GAE**      *Joint Favorable Subst.*